

Waste Compliance and Mitigation Program Staff Report
Solid Waste Facilities Permit Revision for the Shoreway Environmental Center
SWIS No. 41-AA-0016
March 17, 2010

Background Information, Analysis, and Findings:

This report was developed in response to the San Mateo County Local Enforcement Agency (LEA) request for Department of Resources Recovery and Recycling (Department) concurrence on the issuance of a proposed solid waste facilities permit revision for the Shoreway Environmental Center (currently known as the South Bayside Transfer Station), SWIS No. 41-AA-0016, located in San Mateo County. The facility is owned by the South Bayside Waste Management Authority, (a Joint Powers Authority in San Mateo County), and operated by Allied Waste Services of North America. A copy of the proposed permit is attached. The report contains Waste Compliance and Mitigation Program (WCMP) staff's analysis, findings, and recommendations.

A draft proposed permit package was received on January 6, 2010 and a revision of the proposed permit was received on March 2, 2010. Action must be taken on this permit no later than May 1, 2010. If no action is taken by May 1, 2010, the Department will be deemed to have concurred with the issuance of the proposed permit.

Proposed Changes

The following changes to the permit are being proposed:

	Current Permit (2004 SWFP)	Proposed Permit
Facility Name	South Bayside Transfer Station	Shoreway Environmental Center
Facility Operator's Name and Address	Browning Ferris Industries of California, Inc. P. O. Box 1068 San Carlos, CA 94070	Allied Waste Services of North America 225 Shoreway Road P. O. Box 1068 San Carlos, CA 94070
Permitted Hours	Transfer Station Hours of Operation are Monday - Saturday from 2:00 a.m. - 6:00 p.m.; Sunday from 6:00 a.m. - 6:00 p.m. Material Recovery Building Hours of Operation are Monday - Friday from 5:00 a.m. - 5:00 p.m.; Public Hours from 8:30 a.m. - 4:00 p.m. Monday - Saturday	Transfer Station Hours of Operation: 2:00 a.m. - 11:00 p.m. Monday - Saturday; 6:00 a.m. - 6:00 p.m. Sunday Public Receiving: 6:00 a.m. - 6:00 p.m. 7 days/week MRF Operations: 2:00 a.m. - 11:00 p.m. Monday - Saturday; 6:00 a.m. - 6:00 p.m. Sunday Public Recycling Center: 6:00 a.m. - 5:00 p.m. Monday - Saturday
Permitted Traffic Volume	1,237 Vehicles Per Day	1,306 Vehicles Per Day
Facility Design Change	Allow reconstruction of facility in order to rebuild the material recovery portion and the waste transfer portion.	

<p>Permit Conditions</p>	<p>New conditions in the proposed permit, which are not found in the existing permit, are:</p> <p>b. The operator shall comply with all federal, state, and local requirements and enactments including any mitigation measures given in any certified environmental document filed pursuant to the Public Resources Code, Section 21081.6.</p> <p>d. The owner/operator shall keep all information of the current Transfer Processing Report updated pursuant to CCR Title 14 Section 17403.9. The LEA reserves the right to request and receive any information that it deems necessary to conduct an inspection, review and/or write a Solid Waste Facility Permit.</p> <p>e. The owner/operator of this facility shall not implement any change to this facility or operations without first submitting a written notice of the proposed change with a description of the proposed change to the LEA at least 180 days in advance of the implementation of the change. Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit will be considered a significant change and will require a revision to this permit.</p> <p>f. All new construction shall be inspected and approved by the LEA prior to commencement of operations.</p> <p>h. The LEA reserves the right to suspend waste receiving operations when it is deemed necessary due to an emergency, a potential health hazard, or the creations of a public nuisance.</p> <p>i. All green waste activities and related activities shall be conducted in a manner that precludes the attraction, breeding and/or harborage of vectors.</p> <p>m. The owner/operator of this facility shall provide additional ambient lighting through natural or artificial means to ensure safe operations as determined by the LEA and as specified in CCR, Title 14 Section 17416.2 – Lighting.</p> <p>o. The owner/operator shall implement additional bird control measures as necessary during construction phase III as specified in the current TPR Appendix A, Interim Operations Plan, section 4.7 page 4-2, specified in CCR Title 14 Section 17410.4 Vector, Bird and Animal Control and for compliance with Mitigation Measure Haz-5 Page-5 of the July 2008 Mitigated Negative Declaration.</p> <p>q. This permit is subject to review by the LEA and may be suspended and/or revoked at any time for sufficient cause after a hearing by the Local Enforcement Agency's Hearing Panel.</p>
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Findings:

All required submittals and findings required by Title 27, Section 21685 have been provided and made. Staff has determined that California Environmental Quality Act requirements have been met to support concurrence. The findings are summarized in the table below. The documents on which staff's findings are based have been provided to the Deputy Director with this Staff Report

and are permanently maintained in the facility files maintained by the Waste Compliance and Mitigation Program.

CCR Title 27 Sections	Findings	
21685(b)(1) LEA certified complete and correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated January 26, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The LEA completed a Five Year Permit Review on May 22, 2009 and provided a copy to the Department on May 22, 2009.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	The LEA submitted a proposed solid waste facilities permit on March 2, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on January 6, 2010 provided a finding that the facility is consistent with PRC 50001 and WCMP staff in the Jurisdiction Compliance and Audit Section found the facility is identified in the Countywide Siting Element as described in their memo dated February 3, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7) Operations Consistent with State Minimum Standards	WCMP staff in the Compliance, Evaluation, and Enforcement Division (CEED) found that the facility was in compliance with all operational standards and design requirements during the inspection conducted on March 2, 2010. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) LEA CEQA finding	The LEA provided a finding in their permit submittal package received on January 6, 2010 that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and or Meeting, Comments	The required informational meeting was conducted by the LEA on December 3, 2009, at 6:00 pm. No members of the public attended. No written comments were received by the LEA or WCMP staff.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA determination to support responsible agency's findings	The Department is a responsible agency under CEQA with respect to this project, a proposed revised solid waste facilities permit. WCMP staff has determined that the CEQA record can be used to support the Deputy Director's action on the proposed revised permit. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

The facility was inspected by WCMP staff in the Compliance, Evaluation, and Enforcement Division on March 2, 2010. No violations were noted.

The LEA noted one violation of State Minimum Standards in the past 5 years for Waste Tire Storage in December 2008, and has not noted any violations of permit requirements during the last 5 years.

Environmental Analysis:

State law requires compliance with the California Environmental Quality Act either through the preparation, circulation and adoption/certification of an environmental document and mitigation reporting or monitoring program or by determining that the proposal is categorically or statutorily exempt.

The City of San Carlos Community Development Department, acting as Lead Agency, prepared the following environmental document for the Shoreway Environmental Center Transfer Station (South Bayside Integrated Facility).

A Mitigated Negative Declaration (MND), State Clearinghouse No. 2008062064 was circulated for a 30-day review period from June 18, 2008 through July 17, 2008. The San Carlos City Council adopted the Negative Declaration on July 21, 2008. A Notice of Determination was filed with the State Clearinghouse on August 1, 2008.

The Negative Declaration included the following design modifications for the facility:

- Demolition of a portion of the 62,000 square foot Transfer Station, and an addition that would increase the square footage to 80,460 square feet.
- Demolition of the existing 48,000 square foot Material Recovery Facility and replacement with a new 73,860 square foot building.
- Relocation and construction of a new scale house facility.
- Modification of on-site driveways, and traffic patterns.
- Relocation and consolidation of the recycling and buy back centers to the front of the Material Recovery Facility building.

The Local Enforcement Agency, the County of San Mateo Division of Environmental Health, has provided a finding that the proposed SWFP is consistent with and supported by the cited environmental document.

Department staff recommends the Mitigated Negative Declaration above as adequate for the Director's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

Local Issues:

The California Environmental Quality Act record indicates no offsite cumulative environmental impacts. The project document availability, hearings, and associated meetings were extensively noticed consistent with the California Environmental Quality Act and Solid Waste Facility Permit requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community. Census information indicates that the surrounding population is approximately 84.5% White, 0.8% Black or African American, 0.2% American Indian or Alaska Native, 7.9% Asian, 0.4% Native Hawaiian and Other Pacific Islander, 2.4% "Some Other Race," and 3.8% "Two or more races." 7.7% identify themselves as Hispanic or Latino. 1.4% of the families in the Census Tract were below the poverty level. Staff has not identified any environmental justice issues related to this item. Staff finds the

project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

No public comments have been received by Department or LEA staff. No members of the public attended the informational meeting on December 3, 2009. The meeting was attended by Department staff.

Department Staff Actions:

Permits staff has worked with the LEA throughout the permit process by providing guidance and comments on permitting documents, and attended the public meeting.

Staff responded over the past 21 months to a number of questions from the LEA regarding the permit process.

